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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,955	02/02/2001	James J. Kobe	56215USA3A.002	1528

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[REDACTED] EXAMINER

AHMAD, NASSER

ART UNIT	PAPER NUMBER
1772	10

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

AS10

<b>Office Action Summary</b>	Application No. <b>09/775,955</b>	Applicant(s) <b>Kobe et al.</b>
	Examiner <b>Nasser Ahmad</b>	Art Unit <b>1772</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1)  Responsive to communication(s) filed on May 6, 2003.

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

#### Disposition of Claims

4)  Claim(s) 10-15, 22-53, 56, 57, and 67-81 is/are pending in the application.

4a) Of the above, claim(s) 34-53, 56, 57, and 67-69 is/are withdrawn from consideration.

5)  Claim(s) 10-15 is/are allowed.

6)  Claim(s) 22-33, 70-75, and 78-81 is/are rejected.

7)  Claim(s) 76 and 77 is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1)  Notice of References Cited (PTO-892)

4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

6)  Other: \_\_\_\_\_

Art Unit: 1772

1. At first, Examiner would like to apologize for the inconvenience caused by the inadvertent typographical errors.
2. As noted by the applicant and stated in the Office Action (Paper No. 5) of July 9, 2002, the indicated allowable claims are 10-15 and not 10-16 as stated erroneously in the Office Action of January 29, 2003. Hence, claim 16 has been canceled.
3. Further, with respect to claims 22-25, said claims were inadvertently left out from the rejection in Paper No. 7, paragraph – 5, mailed on January 29, 2003.
4. Applicant's arguments with respect to claims 22-33 and 70-81 have been considered but are moot in view of the new ground(s) of rejection.
5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 22-33, 70-75 and 79-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Abstract of Japan volume 2000, No. 15, April 6, 2001 (Japan 2000, volume 345113 A; December 12, 2000, ABS) in view of Collins (5,847,649).

The Patent abstract relates to an adhesive article comprising an e-beam curing type pressure sensitive adhesive (PSA) formed on a release liner. The adhesive powers on opposite surfaces are different based an e-beam irradiation. However, the Patent abstract fails to teach that the release liner value on the second side (next to the adhesive is less than that of the first side. Collins discloses a release liner with

differential release values forming a tight release side and an easy release side (col. 1, lines 36-41). The liner can be polyester and coated with silicone (col. 3, lines 3-12). Collins teaches the advantage of using liner with differential release value for facilitating using the adhesive article. Therefore, it would have been obvious to one having ordinary skill in the art to utilize Collins' teaching of using differential release value containing release liner in the invention of the Patent abstract with the motivation to facilitate unwinding and using of the article.

As for the silicone compound used in Collins, it would include the various silicone compounds claimed.

The process conditions and intermediate materials used have not been given weight for the end product claimed.

7. Claims 22, 24-35 and 78 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 78 is improperly dependent from claim 80 and the phrase "said (meth) acrylic polymer" is deemed to be indefinite for lacks of antecedent basis.

8. Claims 76-78 are free of the prior art for reasons discussed in Paper No. 5, paragraph 8.

9. Any inquiry concerning this communication from the examiner should be directed to Nasser Ahmad whose telephone number is (703) 308-4424. The examiner can

generally be reached on Monday-Thursday from 7:30 a.m. to 5 p.m. and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on (703) 308-4251. The fax phone numbers for the organization where this application is assigned are (703) 872-9310 for regular communications and (703) 305-7115 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

  
**NASSER AHMAD**  
**PRIMARY EXAMINER**

N. Ahmad/dh  
July 27, 2003